

This Instrument Prepared by  
and ~~Return To:~~  
Martin W. Brown  
Attorney at Law  
6075 Poplar Avenue, Suite 222  
Memphis, Tennessee 38119  
(901) 681-4200

BK0362PG0227

STATE MS.-DE SOTO CO.

Nov 1 4 21 PM '99

BK 362 PG 227  
W.F. FOLK

RETURN TO: CHICAGO TITLE INSURANCE CO.  
6060 POPLAR AVE. - SUITE 37  
MEMPHIS, TN 38119  
ATTN: B. MORRIS

SPECIAL WARRANTY DEED

WESTCO DEVELOPMENT #3, INC., a Delaware corporation,

GRANTOR(S)

TO

ALBERTSON'S, INC., a Delaware corporation

GRANTEE(S)

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable considerations, the receipt of all of which is hereby acknowledged, Westco Development #3, Inc., a Delaware corporation does hereby sell, convey and specially warrant unto ALBERTSON'S, Inc., a Delaware corporation, the land lying and being situated in the City of Southaven, DeSoto County, Mississippi, more particularly described as follows, to-wit:

SEE EXHIBIT "A" ATTACHED FOR LEGAL DESCRIPTION

The warranty in this Deed is subject to rights of way and easements for public roads and public utilities, subdivision and zoning regulations in effect in the City of Southaven, DeSoto County, Mississippi, and further subject to all applicable building restrictions and any restrictive covenants of record, including, but not limited to, the Permitted Exceptions set forth on the attached Exhibit "B".

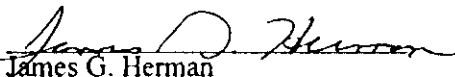
Taxes for the year 1999 are to be prorated.

Possession is to be given with delivery of deed.

WITNESS the duly authorized signature of the Grantor, this the 29 day of October, 1999.

WESTCO DEVELOPMENT #3, INC.,  
a Delaware corporation

By:

  
James G. Herman

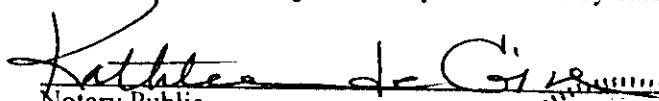
Its:

Senior Vice President

BK0362PG0228

STATE OF TENNESSEE  
COUNTY OF SHELBY

PERSONALLY appeared before me, the undersigned authority in and for the said County and State, on this the 24<sup>th</sup> day of October, 1999, within my jurisdiction, the within named James G. Herman, who acknowledged that he is the Senior Vice President of Westco Development #3, Inc., a Delaware corporation, and that for and on behalf of the said corporation, and as its act and deed he executed the above and foregoing instrument, after first having been duly authorized by said corporation so to do.

  
Notary Public

My commission expires:

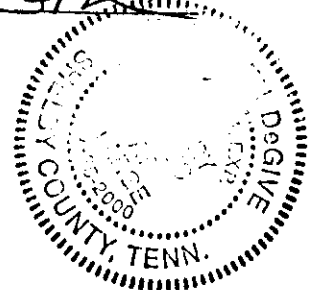
July 25, 2000

Grantor's Address:

Westco Development #3, Inc.  
c/o Weston Retail Properties, Inc.  
3930 Vantech Drive, Suite 6  
Memphis, TN 38115  
(901) 682-9100  
NA

Grantee's Address:

Albertson's, Inc.  
250 Parkcenter Boulevard  
P. O. Box 20  
Boise, ID 83726  
(208) 395-6200  
NA



BK 0362 PG 0229

EXHIBIT "A"

LEGAL DESCRIPTION OF PROPERTY

Lot 4, Southaven Commons, as shown on the plat of record in Plat Book 61, Page 6, in the Office of the Chancery Clerk of DeSoto County, Mississippi.

and further described as:

1.39 ACRES, MORE OR LESS, LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 1 SOUTH, RANGE 7 WEST, SOUTHAVEN, DESOTO COUNTY, MISSISSIPPI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 1 SOUTH, RANGE 7 WEST; THENCE SOUTH 00 DEGREES 15 MINUTES 35 SECONDS EAST, 245.07 FEET WITH THE CENTERLINE OF SWINNEA ROAD TO A POINT; THENCE NORTH 89 DEGREES 00 MINUTES 24 SECONDS WEST, 253.08 FEET TO AN IRON PIN (FOUND), SAID POINT BEING THE TRUE POINT OF BEGINNING FOR THE HEREIN DESCRIBED TRACT; THENCE NORTH 89 DEGREES 00 MINUTES 24 SECONDS WEST, 10.00 FEET TO AN IRON PIN (FOUND); THENCE SOUTH 00 DEGREES 59 MINUTES 36 SECONDS WEST, 28.13 FEET TO AN IRON PIN (FOUND); THENCE NORTH 89 DEGREES 00 MINUTES 00 SECONDS WEST, 269.33 FEET TO AN IRON PIN (FOUND); THENCE NORTH 01 DEGREES 00 MINUTES 00 SECONDS EAST, 217.99 FEET TO AN IRON PIN (FOUND); THENCE SOUTH 89 DEGREES 00 MINUTES 00 SECONDS EAST, 186.40 FEET TO AN CONCRETE MONUMENT (FOUND); THENCE NORTH 87 DEGREES 11 MINUTES 00 SECONDS EAST, 75.20 FEET TO A CONCRETE MONUMENT (FOUND); THENCE SOUTH 89 DEGREES 00 MINUTES 00 SECONDS EAST, 13.60 FEET TO AN IRON PIN (FOUND); THENCE SOUTH 00 DEGREES 15 MINUTES 45 SECONDS EAST, 194.91 FEET TO THE TRUE POINT OF BEGINNING CONTAINING 1.39, MORE OR LESS, ACRES OF LAND BEING SUBJECT TO ALL REGULATIONS, REVISIONS, RESTRICTIONS, CODES, COVENANTS, EASEMENTS, AND RIGHTS-OF-WAY OF RECORD.

BK 0362 PG 0230

EXHIBIT "B"

PERMITTED EXCEPTIONS

1. City of Southaven and DeSoto County taxes for the year 1999, liens, not now due or payable.
2. Subdivision restrictions, building lines and easements of record in Plat Book 61, Page 6, in the Office of the Chancery Clerk of DeSoto County, Mississippi.
3. Covenants, conditions, restrictions, liens, easements and assessments of record in Declaration of Covenants, Conditions and Restrictions recorded in Book 332, Page 138, in the aforesaid Clerk's Office.
4. Rights of the public to that part of the property underlying public roads.
5. Title to all oil, gas and minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto.
6. Fifteen foot Mississippi Power & Light Utility Easement along north property line, as shown on survey by Smith Engineering and Surveying Incorporated, dated July 21, 1999 (the "Survey"), said easement of record in Book 150, Page 699, in the aforesaid Clerk's Office.
7. Location of sanitary sewer lines and sewer manhole and overhead power lines and metal power pole, as shown on the Survey.